

## Message Text

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PAGE 01 LIBREV 00281 010536Z

ACTION AF-08

INFO OCT-01 ISO-00 ONY-00 ES-01 /010 W

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R 311445Z JAN 77

FM AMEMBASSY LIBREVILLE

TO SECSTATE WASHDC 0000

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E.O. 11652: NA

TAGS: SHUM, XJ, TP

SUBJECT: HUMAN RIGHTS IN SAO TOME AND PRINCIPE

REF: STATE 014518

### I. BACKGROUND

PRINCIPAL FACT TO BEAR IN MIND IS THAT SAO TOME IS MINI COUNTRY WITH ONLY 372 SQUARE MILES OF TERRITORY AND 75,000 PEOPLE WHERE GOVERNMENT OFFICIALS PRACTICALLY ON FIRST NAME BASIS WITH CITIZENS. WHILE PORTUGUESE SUCCESSFULLY KEPT ISLANDS ISOLATED FROM REST OF WORLD DURING FIVE CENTURIES OF COLONIAL RULE, LITTLE VIOLENCE OR POLITICAL OPPRESSION OCCURRED DURING PERIOD IMMEDIATELY PRIOR TO INDEPENDENCE. THUS, NEW GOVERNMENT HAS BENEFITED FROM INHERITED RESPECT FOR BASIC CIVIL LIBERTIES IN ESTABLISHING ESSENTIALLY FREE POLITICAL SYSTEM WHICH HAS MAINTAINED MOST INTERNATIONALLY RECOGNIZED HUMAN RIGHTS AND FREEDOMS.

### II. REQUESTED COMMENTS

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#### A. POLITICAL SITUATION:

GOVERNMENT STRONGLY CENTRALIZED UNDER PRESIDENT DA COSTA WHO HOLDS REAL POWER IN ISLANDS. PRESIDENT PICKED BY POPULAR ASSEMBLY FROM LIST OF CANDIDATES NAMED BY SOLE LEGAL PARTY LLSTP (MOVIMENTO DE LIBERTACAO DE SAO TOME E PRINCIPE). ASSEMBLY WAS CHOSEN IN GENERAL ELECTION MAY 1975 FOR FOUR YEAR TERM. UNDER CONSTITUTION IT IS SUPREME ORGAN OF STATE BUT OVER LAST EIGHTEEN

MONTHS, PRESIDENT HAS DEVELOPED ACTUAL PREDOMINANCE, RUNNING GOVERNMENT LARGELY BY DECREE.

2. SINCE IT CREATION IN 1960 UNTIL JUST PRIOR TO INDEPENDENCE, MLSTP WAS ONLY STABLE PARTY WORKING FOR INDEPENDENCE. DURING PERIOD OF TRANSITION GOVERNMENT, COMPETING GROUPS EMERGED IN ISLANDS WHICH PRESENTED CANDIDATES IN MAY 1975 ELECTION FOR POPULAR ASSEMBLY. THERE WAS GROUP WHICH PROPOSED AFFILIATION WITH PORTUGAL AND ANOTHER RADICALLY LEFT MOVEMENT KNOWN AS THE CIVIC ASSOCIATION. HOWEVER, MLSTP CANDIDATES WERE ELECTED BY OVERWHELMING MAJORITY AND FROM THAT POINT ACTIVITIES BY OPPOSITION GROUPS FOR ALL PRACTICAL PURPOSES HAVE CEASED. UNDER CONSTITUTION ADOPTED IN NOVEMBER 1975, MLSTP WAS GIVEN KEY ROLE AS ORGANIZER OF MASSES AND INTERMEDIARY BETWEEN GOVERNMENT OFFICIALS AND PEOPLE. IN ADDITION, PARTY HAS FUNDAMENTAL GOVERNMENTAL POWERS SUCH AS SELECTION OF CANDIDATES FOR PRESIDENT, ASSEMBLY AND SUPREME COURT. CONSTITUTION ALSO SPECIFICALLY STATES THAT ACTS AGAINST OBJECTIVES OF MLSTP ARE PUNISHABLE BY LAW. NEVERTHELESS, FORMER MEMBERS OF OPPOSITION GROUPS REMAIN IN ISLANDS AND APPARENTLY SUFFER NO PREJUDICIAL TREATMENT AT HANDS OF PRESENT GOVERNMENT. SEVERAL LEADERS OF CIVIC ASSOCIATION ARE THOUGHT TO BE IN EXILE IN ANGOLA BUT PRESIDENT DA COSTA HAS ANNOUNCED PUBLICLY THEY ARE FREE TO RETURN TO ISLANDS WHENEVER THEY WISH.

B. LEGAL SITUATION:

1. CONSTITUTION CONTAINS CHAPTER GUARANTEEING FUNDAMENTAL RIGHTS AND LIBERTIES OF CITIZENS. UNIVERSAL DECLARATION OF RIGHTS OF MAN SPECIFICALLY RECOGNIZED AND GOVERNMENT CHARGED WITH CREATING LIMITED OFFICIAL USE

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PAGE 03 LIBREV 00281 010536Z

CONDITIONS NECESSARY FOR THEIR FULFILLMENT. NO "STATE OF SIEGE" OR EMERGENCY MEASURES HAVE BEEN DECLARED SINCE INDEPENDENCE. JUDICIAL SYSTEM IS ORGANIZED UNDER SUPREME COURT CHOSEN BY POPULAR ASSEMBLY. JUDGES ARE CHARGED BY CONSTITUTION TO OBEY ONLY LAW AND THEIR CONSCIENCE IN EXERCISING LEGAL FUNCTIONS. COURTS APPEAR TO APPLY LAW IMPARTIALLY AND THERE ARE NO KNOWN POLITICAL PRISONERS OR DETAINEES.

C. OFFICIAL ATTITUDE:

1. GSTP APPEARS TO OBSERVE RIGHTS AND FREEDOMS ESTABLISHED BY CONSTITUTION. IN ADDITION TO DECLARATION OF UNIVERSAL RIGHTS OF MAN, THESE INCLUDE SPECIFIC MENTION OF EQUALITY UNDER LAW REGARDLESS OF SOCIAL, RACIAL SEXUAL POLITICAL RELIGIOUS OR PHILOSOPHICAL CRITERIA. FREEDOM FROM ARREST, FAIR TRIAL AND RIGHT TO COUNSEL ALSO RECOGNIZED. ESTABLISHMENT OF MLSTP AS SOLE PARTY, EXCEPT FOR LIMITING POLITICAL AFFILIATION AND ACTIVITY, APPARENTLY HAS NOT CONFLICTED WITH FREE EXERCISE OF ABOVE RIGHTS.

2. PRIVATE PROPERTY PERMITTED BY CONSTITUTION AS LONG AS IT DOES NOT INTERFERE WITH GENERAL WELFARE AS DETERMINED BY ECONOMIC POLICY OF GOVERNMENT. GSTP EFFECTIVELY ESTABLISHED SOCIALIZED ECONOMIC SYSTEM SEPTEMBER 1975 BY NATIONALIZING ALL LARGE LAND HOLDINGS. HOWEVER, THESE WERE WITH OUT EXCEPTION PROPERTIES OF EXPATRIATE INTERESTS AND LOCAL SMALL PROPERTY OWNERS HAVE CONTINUED THEIR PRIVATE OPERATIONS. CONSTITUTION ALSO RECOGNIZED FREEDOM OF RELIGION, SPEECH AND THOUGHT AS WELL AS ASSEMBLY, ASSOCIATION AND DEMONSTRATION. OF COURSE, ONLY POLITICAL ASSOCIATION PERMITTED IS WITHIN MLSTP AND ONLY PRACTICAL PUBLIC EXPRESSION IS THROUGH PARTY NEWSPAPER. PHYSICAL ISOLATION OF ISLAND IN ITSELF SERVES AS EFFECTIVE BARRIER TO FREEDOM OF MOVEMENT AND VISAS ARE REQUIRED TO LEAVE COUNTRY. HOWEVER, TO BEST OF EMBASSYS KNOWLEDGE, RESTRICTIONS ON MOVEMENT SEEM AIMED AT PROTECTING COUNTRYS WEAK CURRENCY AND STOPPING ILLEGAL IMPORTS AND NOT AT PREVENTING SAO TOMEANS FROM LEAVING ISLAND.

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PAGE 04 LIBREV 00281 010536Z

D. OTHER HUMAN RIGHTS REPORTING:  
EMBASSY NOT AWARE OF ANY OTHER REPORTING ON  
HUMAN RIGHTS UNDER GSTP. STEIGMAN

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## Message Attributes

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Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009